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| FORM PTO 1390<br>(REV 5-93)<br>US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br><b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. §371</b>  |  | ATTORNEY DOCKET NUMBER<br>2001-1841A                           |
| <b>International Application No.</b><br>PCT/JP01/02772  | <b>International Filing Date</b><br>March 30, 2001 | <b>U.S. APPLICATION NO.<br/>(if known) 107019394<br/>(NEW)</b> |
| <b>Title of Invention</b><br>CHLAMYDOSPORES AND PROCESS FOR PRODUCING THE SAME  |  |  |
| <b>Applicant(s) For DO/EO/US</b><br>Yasuharu SASAKI; Susumu SASAKI  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |  |
| 1. [X] This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. §371.<br>2. [ ] This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. §371.<br>3. [X] This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).<br>4. [ ] A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.<br>5. [ ] A copy of the International Application as filed (35 U.S.C. §371(c)(2))<br>a. [ ] is transmitted herewith (required only if not transmitted by the International Bureau).<br>b. [ ] has been transmitted by the International Bureau.<br>c. [ ] is not required, as the application was filed in the United States Receiving Office (RO/US)<br>6. [X] A translation of the International Application into English (35 U.S.C. §371(c)(2)). <b>ATTACHMENT A</b><br>7. [ ] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).<br>a. [ ] are transmitted herewith (required only if not transmitted by the International Bureau).<br>b. [ ] have been transmitted by the International Bureau.<br>c. [ ] have not been made; however, the time limit for making such amendments has NOT expired.<br>d. [ ] have not been made and will not be made.<br>8. [ ] A translation of the amendments to the claims under PCT Article 19.<br>9. [X] An unexecuted oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). <b>ATTACHMENT B</b><br>10. [ ] A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).<br><b>Items 11. to 14. below concern other document(s) or information included:</b><br>11. [ ] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.<br>12. [ ] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.<br>13. [X] A <b>FIRST</b> preliminary amendment. <b>ATTACHMENT C</b><br>[ ] A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.<br>14. [X] Other items or information:<br>Petition to Revive Under 37 CFR 1.137(b) - <b>ATTACHMENT D</b> |  |  |

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| U.S. APPLICATION NO.<br>[NEW] <u>10/079394</u>  | INTERNATIONAL APPLICATION NO.<br>PCT/JP01/02772 | ATTORNEY'S DOCKET NO.<br>2001-1841A   |           |
| 15. [X] The following fees are submitted  |   | CALCULATIONS PTO USE ONLY   |           |
| <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b><br>Neither international preliminary examination fee nor international search fee paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1040.00<br>International Search Report has been prepared by the EPO or JPO ..... \$ 890.00<br>International preliminary examination fee not paid to USPTO but international search paid to USPTO ..... \$ 740.00<br>International preliminary examination fee paid to USPTO but claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$ 690.00<br>International preliminary examination fee paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$ 100.00 |   |   |           |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>   |   | \$890.00  |           |
| Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(c)).   |   |   |           |
| Claims  | Number Filed                                    | Number Extra  | Rate      |
| Total Claims  | 6 -20 =   | 0   | X \$18.00 |
| Independent Claims  | 2 - 3 =   | 0   | X \$84.00 |
| Multiple dependent claim(s) (if applicable)   |   | + \$280.00  |           |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |   | \$890.00  |           |
| [X] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.  |   | \$445.00  |           |
| <b>SUBTOTAL =</b>   |   | \$445.00  |           |
| Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |   | + \$130.00  |           |
| <b>TOTAL NATIONAL FEE =</b>   |   | \$445.00  |           |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +   |   |   |           |
| <b>TOTAL FEES ENCLOSED =</b>  |   | \$445.00  |           |
|   |   | Amount to be refunded \$  |           |
|   |   | Amount to be charged \$   |           |
| a. [X] A check in the amount of <u>\$445.00</u> to cover the above fees is enclosed. A duplicate copy of this form is enclosed.<br>b. [X] Please charge my Deposit Account No. 23-0975 in the amount of <u>\$620.00</u> to cover the fee for the Petition to Revive Under 37 CFR 1.137(b).<br>A duplicate copy of this sheet is enclosed.<br>c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u> .  |   |   |           |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.   |   |   |           |
| 19. CORRESPONDENCE ADDRESS  |   | By: <u>Matthew Jacob</u><br>Matthew Jacob,<br>Registration No. 25,154<br>WENDEROTH, LIND & PONACK, L.L.P.<br>2033 "K" Street, N.W., Suite 800<br>Washington, D.C. 20006-1021<br>Phone:(202) 721-8200<br>Fax:(202) 721-8250<br>December 28, 2001 |           |
| <br><u>000513</u><br>PATENT TRADEMARK OFFICE   |   | THE COMMISSIONER IS AUTHORIZED<br>TO CHARGE ANY DEFICIENCY IN THE<br>FEE FOR THIS PAPER TO DEPOSIT<br>ACCOUNT NO. 23-0975.  |           |
|   |   | [CHECK NO. <u>48163</u> ] [2001-1841A]  |           |

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